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EXAMINER

NGUYEN, THANH T

ART UNIT	PAPER NUMBER
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2144

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Please find below and/or attached an Office communication concerning this application or proceeding.

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**BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES**

Application Number: 09/801,635
Filing Date: March 09, 2001
Appellant(s): KANEFSKY ET AL.

MAILED

DEC 19 2006

Technology Center 2100

Eduardo M. Carreras
For Appellant

EXAMINER'S ANSWER

This is in response to the appeal brief filed September 25, 2006 appealing from the Office action mailed November 15, 2005.

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(1) Real Party in Interest

A statement identifying by name the real party in interest is contained in the brief.

(1) Real Party in Interest

A statement identifying by name the real party in interest is contained in the brief.

(2) Related Appeals and Interferences

The examiner is not aware of any related appeals, interferences, or judicial proceedings which will directly affect or be directly affected by or have a bearing on the Board's decision in the pending appeal.

(3) Status of Claims

The statement of the status of claims contained in the brief is correct.

(4) Status of Amendments After Final

The appellant's statement of the status of amendments after final rejection contained in the brief is correct.

(5) Summary of Claimed Subject Matter

The summary of claimed subject matter contained in the brief is correct.

(6) Grounds of Rejection to be Reviewed on Appeal

The appellant's statement of the grounds of rejection to be reviewed on appeal is correct.

(7) Claims Appendix

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The copy of the appealed claims contained in the Appendix to the brief is correct.

(8) Evidence Relied Upon

6,661,784	NYKANEN	9-2003
6,170,014	DARAGO	1-2001
6,061,738	OSAKU	5-2000

(9) Grounds of Rejection

The following ground(s) of rejection are applicable to the appealed claims:

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claim 19 are rejected under 35 U.S.C. 102(e) as being anticipated by Petri Nykanen. (USPN 6,661,784 – Date of Patent: December 9, 2003, herein referred to as “Nykanen”).

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3. As to claim 19, Nykanen teaches the invention as claimed, including a method for transmitting content from a WAp/i-mode-enabled device, the method comprising: receiving a command from a WAp/i-mode-enabled device for transmission of a first URL that is accessed by the device (col.8, lines 10-15, col.12, lines 25-31); receiving a destination address for transmission of the first URL (col.8, lines 16-20, after receive the request and presented to user); generating a message including an indication of a second URL (col.8, lines 10-15, col.12, lines 25-31), wherein the first URL and the second URL are identical, and transmitting the message to the destination address (col.8, lines 16-20).

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 1-8, 15-18, 20-42 are rejected under 35 U.S.C. 103(a) as being unpatentable over Petri Nykanen., (hereinafter Nykanen) U.S. Patent No. 6,661,784 in view of Darago et al., (hereinafter Darago) U.S. Patent No. 6,170,014.

6. As to claims 1, and 2, Nykanen teaches the invention as claimed, including a method for transmitting content, or information related to the content from a first WAp/i-mode-enabled device to a second WAP/I-mode-enabled device, the method comprising: receiving a command from a first WAp/i-mode-enabled device for transmission of a first URL that is accessed by the first device, wherein the first device has received content associated by the first URL (col.8, lines 10-15, col.12, lines 25-31); receiving a destination address for transmission of the first URL (col.8, lines 16-20, after receive the request and presented to the user), wherein the destination address is associated with the second device (see col.8, lines 54-67); generating a message including an indication of the second URL, wherein the second URL corresponds to the content received by the first device (col.8, lines 10-15, col.12, lines 25-31), transmitting the message to the destination address, and wherein the first URL and the second URL are identical (col.8, lines 16-20). But Nykanen does not explicitly teach the message can be used to access the content by the second device associated with the destination address.
- However, Darago teaches the message can be used to access the content by the second device associated with the destination address (see col.2, lines 59-67, col.6, lines 60-67, and col.10, lines 26-38). It would have been obvious to one of ordinary skill in the art at the time of the invention was made to implement the teachings of Darago into the computer system of Nykanen to have the message can be used to access device associated with the destination address for the purpose of improved security, efficiency, and convenience for the management of

- courseware or other content in a shared operating environment such as network, or collection of loosely coupled networks [see Darago, col.6, lines 60-64].
7. As to claim 3, Nykanen teaches the invention as claimed, wherein the command includes an invoking script call containing the first URI, as an argument (col.7, lines 50-67).
 8. As to claim 4, Nykanen teaches the invention as claimed, wherein the indication is a pointer to the second URL, and a file associated with the second URI, includes a pointer to the first URL (col.8, lines 25-35).
 9. As to claim 5, Nykanen teaches the invention as claimed, wherein the file associated with the second URL contains advertising (col.13, lines 5-13).
 10. As to claim 6, Nykanen teaches the invention as claimed, wherein the indication is a pointer to the second URL (col.8, lines 25-35, first url and second url are identical).
 11. As to claim 7, Nykanen teaches the invention as claimed, wherein the indication includes the second URL (col.8, lines 25-35).
 12. As to claim 8, Nykanen teaches the invention as claimed, wherein the first URL is currently - accessed by the WAP/i-mode-enabled device (Fig.1, device 12).
 13. As to claim 15, Nykanen teaches the invention as claimed, wherein the first URL is a previously - accessed URI, and is retrieved from a history stack prior to the receiving of the command (col.8, lines 10-15, and col.12, lines 25-30).
 14. As to claim 16, Nykanen teaches the invention as claimed, wherein the first URL is a previously - accessed URL and is retrieved from a list of bookmarks prior to the receiving of the command (col.12, lines 25-30).

15. As to claim 17, Nykanen teaches the invention as claimed, wherein the WAp/i-mode-enabled device is a device that is WAp-enabled, but not i-mode-enabled (Fig.1, device 12).
16. As to claim 18, Nykanen teaches the invention as claimed, wherein the WAp/i-mode-enabled device is a device that is i-mode-enabled, but not WAp-enabled (Fig.1 show I-mode-enable, but not Wap-enabled).
17. As to claims 20 and 21, Nykanen teaches the invention as claimed, including a method for transmitting content from a WAp/i-mode-enabled device, the method comprising; receiving a first URL from a WAp/i-mode-enabled device in a command including an invoking script call (col.7, lines 55-67, and col.8, lines 10-15); receiving a destination address for transmission of the first URL (col.8, lines 16-20, after receive the request and presented to user); generating a message including a pointer to a second URL, wherein the pointer, second URL, or both relate to data accessible via the first URL; and transmitting the message to the destination address (col.8, lines 63-67). But Nykanen does not explicitly teach a device associated with the second address to access the data. However, Darago teaches permit a device associated with the second address to access the data (see col.2, lines 59-67, col.6, lines 60-67, and col.10, lines 26-38). It would have been obvious to one of ordinary skill in the art at the time of the invention was made to implement the teachings of Darago into the computer system of Nykanen to have a device associated with the second address to access the data for the purpose of improved security, efficiency, and convenience for the management of

courseware or other content in a shared operating environment such as network, or collection of loosely coupled networks [see Darago, col.6, lines 60-64].

18. As to claim 22, Nykanen teaches the invention as claimed, wherein a file associated with the second URI, contains a pointer to the first URL (col.8, lines 25-35).
19. As to claim 23, Nykanen teaches the invention as claimed, wherein a file associated with the second URL contains advertising (col.13, lines 5-13).
20. As to claim 24, Nykanen teaches the invention as claimed, wherein a file associated with the second URI, contains a modified version of the content corresponding to the first URL (col.8, lines 25-35).
21. As to claim 25, Nykanen teaches the invention as claimed, wherein the modified version of the content is in a format suitable for rendering on a destination device at the destination address (col.8, lines 60-67).
22. As to claim 26, Nykanen teaches the invention as claimed, wherein the first URI, is a previously - accessed URL and is retrieved from a history stack prior to the receiving of the command (col.8, lines 10-15, and col.12, lines 25-30).
23. As to claim 27, Nykanen teaches the invention as claimed, wherein the first URL is a previously - accessed URL and is retrieved from a list of bookmarks prior to the receiving of the command (col.12, lines 25-30).
24. As to claim 28, Nykanen teaches the invention as claimed, wherein the WAp/i-mode-enabled device is a device that is WAp-enabled, but not i-mode-enabled (Figure 1, device 12).

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25. As to claim 29, Nykanen teaches the invention as claimed, wherein the WAp/i-mode-enabled device is a device that is i-mode-enabled, but not WAp-enabled (Figure 1, shows I-mode-enable, but no Wap-enable).
26. As to claim 30, Nykanen teaches the invention as claimed, including a method for transmitting content, or information related to the content, from a WAp/i-mode-enabled device, the method comprising: receiving a command from a WAp/i-mode-enabled device for transmission of content corresponding to a URL (col.7, lines 54-67, col.8, lines 10-15, and col.12, lines25-33); receiving a destination address for transmission of the content (col.8, lines 16-20); generating a message including the content (col.8, lines10-15, col.12, lines 25-31); and transmitting the message to the destination address, without any required pre-processing of the content of the URL to enable the transmission (col.8, lines 16-20). But, Nykanen does not explicitly teach storing the content for subsequently retrieval. However, Darago teaches storing the content for subsequent retrieval (see col.1-10). It would have been obvious to one of ordinary skill in the art at the time of the invention was made to implement the teachings of Darago into the computer system of Nykanen to have storing the content for subsequent retrieval for the purpose of improved security, efficiency, and convenience for the management of courseware or other content in a shared operating environment such as network, or collection of loosely coupled networks [see Darago, col.6, lines 60-64].
27. As to claim 31, Nykanen teaches the invention as claimed, wherein the content includes advertising inserted by an application server (col.12, lines 25-40).

28. As to claim 32, Nykanen teaches the invention as claimed, wherein the content is translated into a format different from the format of the content rendered on the WAp/i-mode-enabled device, before inclusion of the content into the message (col.1, lines 31-39).
29. As to claim 33, Nykanen teaches the invention as claimed, wherein the format into which the content is translated can be properly rendered by a destination device at the destination address (col.8, lines 60-67).
30. As to claim 34, Nykanen teaches the invention as claimed, wherein the format into which the content is translated is selected based on the destination device at the destination address (col.8, lines 60-67).
31. As to claim 35, Nykanen teaches the invention as claimed, wherein the format into which the content is translated is selected based on a connection with the destination device at the destination address (co.8, lines 60-67).
32. As to claim 36, Nykanen teaches the invention as claimed, wherein the URL is a previously - accessed URI, and is retrieved from a history stack prior to the receiving of the command (col.8, lines 10-15, and col.12, lines 25-30).
33. As to claim 37, Nykanen teaches the invention as claimed, wherein the URL is a previously - accessed URL and is retrieved from a list of bookmarks prior to the receiving of the command (col.12, lines 25-30).
34. As to claim 38 Nykanen teaches the invention as claimed, wherein the WAp/i-mode-enabled device is a device that is WAp-enabled, but not i-mode-enabled (figure 1, device 12).

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35. As to claim 39, Nykanen teaches the invention as claimed, wherein the WAp/i-mode-enabled device is a device that is i-mode-enabled, but not WAp-enabled (figure 1 shows I-mode-enable, but not Wap-enable).
36. As to claim 40, Nykanen teaches the invention as claimed, including a computer-readable medium having stored thereon instructions adapted to be executed by a processor, the instructions, which when executed, initiate the transmission of content, or information related to the content, from a first WAp/i-mode-enabled telecommunications device to a second telecommunications device, the instructions including: receiving a command from a WAp/i-mode-enabled device that a URL accessed by the device will be transmitted (col.8, lines 10-15, col.12, lines 25-31), receiving a destination address for transmission of the URL (col.8, lines 16-20), to the second telecommunications device, wherein the destination address is associated with the second telecommunications device see col.8, lines 54-67); generating a message including an indication of the URL (col.8, lines 10-15, col.12, lines 25-31); and transmitting the message to the destination address (col.8, lines 16-20), wherein the message can be used to access the content by the second telecommunications device. But Nykanen does not explicitly the URL corresponds to content the first WAP/I-mode-enabled telecommunications device wishes to share with the second telecommunications device. However, Darago teaches the URL corresponds to content the first WAP/I-mode-enabled telecommunications device wishes to share with the second telecommunications device (see col.2, lines 59-67, col.6, lines 60-67, and col.10, lines 26-38). It would have been obvious to one of ordinary skill in the art at the time of the

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invention was made to implement the teachings of Darago into the computer system of Nykanen to have devices wishes to share the second device for the purpose of improved security, efficiency, and convenience for the management of courseware or other content in a shared operating environment such as network, or collection of loosely coupled networks [see Darago, col.6, lines 60-64].

37. As to claim 41, Nykanen teaches the invention as claimed, including a computer-readable medium having stored thereon instructions adapted to be executed by a processor, the instructions, which when executed, initiate the transmission of content, or information related to the content from a WAp/i-mode-enabled device, the instructions including: receiving a command from a WAp/i-mode-enabled device for transmission of a first URL that is accessed by the device (col.8, lines 10-15, col.12, lines 25-31), wherein the URL corresponds to content accessed by the device; receiving a destination address for transmission of the content or the first URL (col.8, lines 16-20); generating a message including an indication of a second URL, or pointer, to the content (col.8, lines 10-15, col.12, lines 25-31). But Nykanen does not explicitly teach a device associated with the second address to access the data. However, Darago teaches permit a device associated with the second address to access the data (see col.2, lines 59-67, col.6, lines 60-67, and col.10, lines 26-38). It would have been obvious to one of ordinary skill in the art at the time of the invention was made to implement the teachings of Darago into the computer system of Nykanen to have a device associated with the second address to access the data because it would have an utilization and convenient communications system that can use or enjoy something in one possesses.

38. But, Nykanen does not explicitly teach storing the content for subsequently retrieval. However, Darago teaches storing the content for subsequent retrieval (see col.1-10). It would have been obvious to one of ordinary skill in the art at the time of the invention was made to implement the teachings of Darago into the computer system of Nykanen to have storing the content for subsequent retrieval for the purpose of improved security, efficiency, and convenience for the management of courseware or other content in a shared operating environment such as network, or collection of loosely coupled networks [see Darago, col.6, lines 60-64].
39. As to claim 42, Nykanen teaches the invention as claimed, including a computer-readable medium having stored thereon instructions adapted to be executed by a processor, the instructions, which when executed, initiate the transmission of content, or information related to the content from a WAp/ i-mode-enabled device, the instructions including: receiving a command from a WAp/ and i-mode-enabled device, or just I-mode enabled device for transmission of a URL that is accessed by the device (col.8, lines 10-15, col.12, lines 25-31); receiving a destination address for transmission of the URL or the content corresponding to the URL(col.8, lines 16-20); storing the content (see col.8, lines 9-35), or modified version of the content; generating a message including the content, or modified version of the content corresponding to the URL (col.8, lines 10-15, col.12, lines 25-31); and transmitting the message to the destination address (col.8, lines 16-20). But, Nykanen does not explicitly teach storing the content for subsequently retrieval. However, Darago teaches storing the content for

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subsequent retrieval (see col.1-10). It would have been obvious to one of ordinary skill in the art at the time of the invention was made to implement the teachings of Darago into the computer system of Nykanen to have storing the content for subsequent retrieval for the purpose of improved security, efficiency, and convenience for the management of courseware or other content in a shared operating environment such as network, or collection of loosely coupled networks [see Darago, col.6, lines 60-64].

40. Claims 9-14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Petri Nykanen ., (hereinafter Nykanen) U.S. Patent No. 6,661,784 and Darago et al., (hereinafter Darago) U.S. Patent No. 6,170,014 in view of Osaku et al., (hereinafter Osaku) U.S. Patent No. 6,061,738.

41. As to claim 9, Nykanen and Darago do not teach the invention as claimed, wherein the URL is cached. However, Osaku teaches the URL is cached (col.9, lines 30-34). It would have been obvious to one of ordinary skill in the art at the time of the invention was made to combine the teachings of Nykanen, Darago and Osaku to have a caching of URL because it would have an efficient system that can provide specific functions for speeding up subsequent access to the same data, used for a local copy of data accessible over a network.

42. As to claim 10, Nykanen, and Darago do not teach the invention as claimed, wherein a file corresponding to the URL includes the cached content. However, However, Osaku teaches the file corresponding to the URL includes the cached

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content (col.9, lines 30-34). It would have been obvious to one of ordinary skill in the art at the time of the invention was made to combine the teachings of Nykanen, Darago and Osaku to have a caching content including in a URL because it would have an efficient system that can provide specific functions for simplified the network addressing and also simplified commanding of a network server [see Osaku, col.2, lines 37-39].

43. As to claim 11, Nykanen, and Darago do not teach the invention as claimed, wherein a file corresponding to the URL includes a cached content. However, Osaku teaches the file corresponding to the URL includes the cached content (col.9, lines 30-34). It would have been obvious to one of ordinary skill in the art at the time of the invention was made to combine the teachings of Nykanen, Darago and Osaku to have a caching content including in a URL because it would have an efficient system that can provide specific functions for speeding up subsequent access to the same data, used for a local copy of data accessible over a network.
44. As to claim 12, Nykanen teaches the invention as claimed, wherein the modified version of the cached content includes advertising (col.13, lines 1-13).
45. As to claim 13, Nykanen teaches the invention as claimed, wherein the modified version of the cached content is in a format capable of being rendered on a destination device at the destination address (col.8, 60-67).
46. As to claim 14, Nykanen teaches the invention as claimed, wherein the format for the modified version of the cached content is selected based on the destination device (col.8, lines 60-67).

(10) Response to Argument

- Appellant argues that Nykanen does not teach does not teach every element of claim 19”.

Examiner respectfully disagrees. Applicant argument is vague. Nykanen discloses every element of the claim, for example a transmitting the message to the destination address (e.g., *data packet containing the destination address and the information to be transmitted*, see col.8, lines 63-64). receiving a command from a WAp/i-mode-enabled device for transmission of a first URL that is accessed by the device (*browser transmits a request to the selected server for retrieving the desired information, which is identified with the URL address*, and see col.8, lines 10-15, col.12, lines 25-31); receiving a destination address for transmission of the first URL (col.8, lines 16-20, after receive the request and presented to user); generating a message including an indication of a second URL, wherein the first URL and the second URL are identical (*transmit request to the selected server for retrieving the desired information with the URL address*, see col.8, lines 10-15, col.12, lines 25-31).

- Appellant argues that there is lacking motivation to modify Nykanen with Osaku

In response to applicant's argument that there is no suggestion to combine the references, the examiner recognizes that obviousness can only be established by combining or modifying the teachings of the prior art to produce the claimed invention where there is some teaching, suggestion, or

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motivation to do so found either in the references themselves or in the knowledge generally available to one of ordinary skill in the art. See *In re Fine*, 837 F.2d 1071, 5 USPQ2d 1596 (Fed. Cir. 1988) and *In re Jones*, 958 F.2d 347, 21 USPQ2d 1941 (Fed. Cir. 1992). In this case In response to applicant's argument that there is no suggestion to combine the references, the examiner recognizes that obviousness can only be established by combining or modifying the teachings of the prior art to produce the claimed invention where there is some teaching, suggestion, or motivation to do so found either in the references themselves or in the knowledge generally available to one of ordinary skill in the art. See *In re Fine*, 837 F.2d 1071, 5 USPQ2d 1596 (Fed. Cir. 1988) and *In re Jones*, 958 F.2d 347, 21 USPQ2d 1941 (Fed. Cir. 1992). In this case It would have been obvious to one of ordinary skill in the art at the time of the invention was made to implement the Barr's into the computer system of Beelitz to because it would have to provided an efficient system that lets a client and server to exchange a shared encryption key using the secure remote boot process [see Barr, col.2, lines 32-34].

- Appellant argues that the Nykanen does not teach "a method for sharing content from a WAP/I-mode-enabled device to another device".

Examiner respectfully disagrees. The Applicant argument is vague. Nykanen discloses a method for sharing content from a WAP/I-mode-enabled device to another as show in figurer 3a for Nykanen the WAP client share the Piconet (content) with the WAP server (device).

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- Appellant argues that examiner does not provide a motivation to modify Nykanen with Darago.
- In response to applicant's argument that there is no suggestion to combine the references, the examiner recognizes that obviousness can only be established by combining or modifying the teachings of the prior art to produce the claimed invention where there is some teaching, suggestion, or motivation to do so found either in the references themselves or in the knowledge generally available to one of ordinary skill in the art. See *In re Fine*, 837 F.2d 1071, 5 USPQ2d 1596 (Fed. Cir. 1988) and *In re Jones*, 958 F.2d 347, 21 USPQ2d 1941 (Fed. Cir. 1992). In this case In response to applicant's argument that there is no suggestion to combine the references, the examiner recognizes that obviousness can only be established by combining or modifying the teachings of the prior art to produce the claimed invention where there is some teaching, suggestion, or motivation to do so found either in the references themselves or in the knowledge generally available to one of ordinary skill in the art. See *In re Fine*, 837 F.2d 1071, 5 USPQ2d 1596 (Fed. Cir. 1988) and *In re Jones*, 958 F.2d 347, 21 USPQ2d 1941 (Fed. Cir. 1992). In this case It would have been obvious to one of ordinary skill in the art at the time of the invention was made to implement the teachings of Darago into the computer system of Nykanen to have a device associated with the second address to access the data for the purpose of improved security, efficiency, and convenience for the management of courseware or other content in a shared operating environment such as

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network, or collection of loosely coupled networks [see Darago, col.6, lines 60-64].

- Appellant argues that Darago does not disclose “a cellular phone or mobile”.

Examiner respectfully disagrees. Appellant argument is vague. In the limitation which is examiner uses Darago reference to combine with Nykanen has nothing to do with Mobile or cellular phone in this claimed invention.

(11) Related Proceeding(s) Appendix

No decision rendered by a court or the Board is identified by the examiner in the Related Appeals and Interferences section of this examiner’s answer.

For the above reasons, it is believed that the rejections should be sustained.

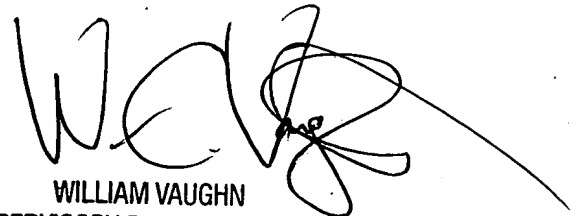
Respectfully submitted,

Examiner



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